

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

SONY MUSIC ENTERTAINMENT, ET AL.,

Plaintiffs,

v.

COX COMMUNICATIONS, INC. AND
COXCOM, LLC.

Defendants.

Case No. 1:18-cv-00950-LO-JFA

**REPLY DECLARATION OF
THOMAS M. BUCHANAN IN
FURTHER SUPPORT OF COX'S
MOTION TO EXCLUDE THE
TESTIMONY OF PUTATIVE
EXPERT DR. TERRENCE P.
MCGARTY**

I, Thomas M. Buchanan, hereby declare:

1. I am a partner at the law firm Winston & Strawn LLP, counsel to Defendants Cox Communications, Inc. and CoxCom, LLC (collectively, "Cox") and represent Cox in the above-captioned matter. I submit this Declaration in support of Cox's Motion to Exclude the Testimony of Putative Expert Dr. Terrence P. McGarty. I have personal knowledge of all facts stated in this declaration and if called upon as a witness, I could and would competently testify thereto.

2. Attached as **Exhibit A** is a true and correct copy of the Memorandum in Support of Cox's Motion to Exclude the Testimony of Putative Expert Terrence P. McGarty, Ph.D., *BMG Rights Mgmt. (US) LLC, et al. v. Cox Commcn's, Inc., et al.*, 1:14-cv-01611-LO-JFA (E.D. Va.) ("*BMG*"), ECF 646.

3. Attached as **Exhibit B** is a true and correct copy of the Reply Brief in Support of Cox's Motion to Exclude the Testimony of Putative Expert Terrence P. McGarty, Ph.D., *BMG* ECF 645.

4. Attached as **Exhibit C** is a true and correct copy of the Order of Hon. Liam O'Grady, dated November 25, 2015, *BMG* ECF 691.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 11th day of October, 2019 in Washington D.C.

/s/ Thomas M. Buchanan
Thomas M. Buchanan (VSB No. 21530)